

## STATE WATER RIGHTS BOARD

## ORDER

APPLICATION 13330PERMIT 8448LICENSE 5473ORDER ALLOWING CHANGE IN POINT OF DIVERSION

WHEREAS License 5473 was issued to the R. Wendel Dairy and was filed with the County Recorder of Sonoma County on March 25, 1959, and

WHEREAS the State Water Rights Board has found that the change in point of diversion under said license for which petition was submitted on February 8, 1967, will not operate to the injury of any other legal user of water, and

WHEREAS the Board has approved and allowed said change and has directed that an order be issued to describe said point of diversion in accordance with said petition;

NOW THEREFORE IT IS ORDERED that permission be and the same is hereby granted to change the point of diversion under said License 5473 to points of diversion described as follows, to wit:

## SANTA ROSA CREEK:

- (1) WEST 1900 FEET FROM SE CORNER OF PROJECTED SECTION 13, T7N, R9W, MDB&M, BEING WITHIN SW $\frac{1}{4}$  OF SE $\frac{1}{4}$  OF SAID SECTION 13.
- (2) AT THE SE CORNER OF PROJECTED SECTION 13, T7N, R9W, MDB&M, BEING WITHIN SE $\frac{1}{4}$  OF SE $\frac{1}{4}$  OF SAID SECTION 13.

THE TOTAL AMOUNT ALLOWED BY THE LICENSE MAY BE DIVERTED FROM EITHER POINT OR PROPORTIONATELY FROM BOTH POINTS.

Dated: SEP 5 1967

*L. K. Hill*  
L. K. Hill  
Executive Officer



STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 13330

PERMIT 8448

LICENSE 5473

THIS IS TO CERTIFY, That

R. Wendel Dairy  
3400 Guerneville Road  
Santa Rosa, California

OVER

has made proof as of October 2, 1957  
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of  
Santa Rosa Creek in Sonoma County  
tributary to Laguna de Santa Rosa

for the purpose of irrigation use  
under Permit 8448 of the State Water Rights Board and that said right to the use of said water has been  
perfected in accordance with the laws of California, the Rules and Regulations of the State Water Rights Board and the  
terms of the said permit; that the priority of the right herein confirmed dates from September 6, 1949  
and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited  
to the amount actually beneficially used for said purposes and shall not exceed nine hundredths (0.09) cubic  
foot per second to be diverted from about April 15 to about June 15 of each year.

The equivalent of such continuous flow/<sup>allowance</sup> for any thirty-day period may be diverted  
in a shorter time if there be no interference with other vested rights.

The point of diversion of such water is located :

Due north seven hundred (700) feet from SE corner of projected Section 13, T7N,  
R9W, MDB&M, being within SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of said projected Section 13.

A description of the lands or the place where such water is put to beneficial use is as follows:

8 acres within SE $\frac{1}{4}$  of SE $\frac{1}{4}$  of projected Section 13, T7N, R9W, MDB&M  
35 acres within SW $\frac{1}{4}$  of SW $\frac{1}{4}$  of projected Section 18, T7N, R8W, MDB&M  
10 acres within SE $\frac{1}{4}$  of SW $\frac{1}{4}$  of projected Section 18, T7N, R8W, MDB&M  
53 acres total as shown on map filed with State Water Rights Board.

All rights and privileges under this license including method of diversion, method of use and quantity of water  
diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the  
interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of  
diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time  
to time by the State Water Rights Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein  
specified and to the lands or place of use herein described.

*This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:*

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

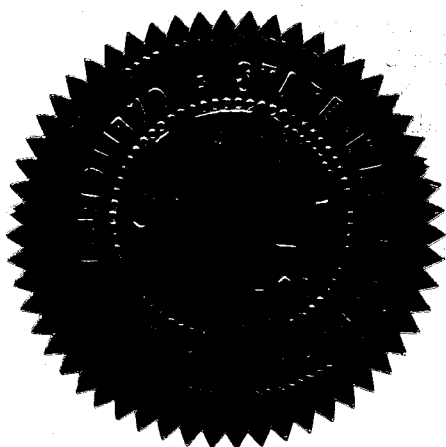
Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: MAR 2 4 '59



*L. K. Hill*  
L. K. Hill  
Executive Officer

4-12-76 ASGD TO GLENN W. HANSEN  
4-1-89 asgd to Fredric C. Hansen

LICENSE 5473  
STATE OF CALIFORNIA  
STATE WATER RIGHTS BOARD

LICENSE  
TO APPROPRIATE WATER

ISSUED TO R. Wendel Dairy

MAR 2 4 '59

DATED